

ALEXANDER BERGERO, ET AL : Civil Action No. 10-1183 (FS H)  
Plaintiff(s) :  
:  
:  
MICHAEL DUANE MULLINS, ET AL :  
Defendant(s) :

**ORDER APPOINTING ARBITRATOR  
AND SETTING DATE FOR ARBITRATION HEARING**

**AND NOW**, this 31st day of January, 2011 it is hereby

**ORDERED pursuant to Local Civil Rule 201.1(e) and Appendix M therein**,  
that the above civil action is herewith referred to arbitration and assigned to the following  
Arbitrator:

**MICHAEL S. WATERS, ESQUIRE**

McElroy, Deutsch, Mulvaney & Carpenter, LLP

Gateway Three - 100 Mulberry Street

Newark, New Jersey 07102-4079 - **(973) 622-7711**

has been selected at random by the arbitration clerk from among those certified as arbitrators, and  
shall hear this case at:

**10:30 A.M. - MARCH 8, 2011 - 100 Mulberry Street**  
Newark, New Jersey

The Arbitrator is authorized to change the time and date for the arbitration hearing  
provided the hearing is commenced within 30 days of the hearing date set forth in this order.  
Continuances beyond this 30 day period must be approved by the Court and Clerk of the Court  
should be notified of any change; and it is

**FURTHER ORDERED**, counsel for plaintiff shall, within **14** days upon receipt of  
this order, **SEND** to the Arbitrator copies of any complaint, amended complaint and answers to  
counterclaim; counsel for each defendant shall, within **14** days upon receipt of this order, **SEND**  
to the Arbitrator any answer, amended answer, counterclaim, cross-claim and answer hereto, any  
third-party complaint and answer; and it is

**FURTHER ORDERED**, that all documentary evidence shall be marked in advance  
and exchanged, except for impeaching documents, pursuant to Local Civil Rule 201.1(f)(5); and  
it is

**FURTHER ORDERED**, that the above Arbitrator shall file with the Clerk of the  
Court within 30 days after the hearing has been concluded, the Arbitration Award which shall  
include a written statement and summary setting forth the basis of the Award, which shall pertain  
to all parties to the arbitration.

**s/ Garrett E. Brown, Jr., Chief Judge**  
**UNITED STATES DISTRICT COURT**